IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 568 Of 2003

IN

SUMMARY SUIT NO. 493 oF 2003

P.S. Ananthanarayanan .. Plaintiff

versus

Prakash N. Thakur .. Defendant

...

Mr.P.S Sarvankar i/b G.S. Bhat for the plaintiff.

Mr.Shailesh Shah i/b H.V. Gala for the defendant.

CORAM : D.G. KARNIK,J.

DATED : 17th March 2005.

P.C.:

1. Heard the learned counsel for the parties.

2. This motion is taken out by the plaintiff for the Attachment before Judgement of the property of the defendant in a summary suit filed by it for recovery of the amount of Rs.6,34,000/-. The defendant was granted conditional leave to defend the

suit subject to deposit of Rs.3,00,000/- in the Court. The defendant has accordingly deposited a sum of Rs.3,00,000/- on 10th March 2005. In my view, the plaintiff is sufficiently protected. Furthermore, no sufficient grounds for attachment before judgement of property of the defendant are made out. Hence, motion is disposed of.

D.G.KARNIK, J